

Headquarters

Washington, D.C.



M-3

TO: M Associate Administrator for Office of Space Flight

FROM: M-3 Deputy Associate Administrator for Space Communications

SUBJECT: Delegation of Authority

As the CSOC transitioning process continues, we are entering a period in which reimbursable tracking services performed by NASA for US and international customers are starting to bump up against the existence of a viable alternative commercial provider. As you know, NASA is precluded from providing services that could be performed by commercial providers and Federal law requires a "finding" by the Administrator that no commercial alternatives exist. Until now, the customer has made this representation in our reimbursable agreements, and NASA has relied on it in providing tracking services.

In consultation with Codes G and I, we have decided that, beginning at the end of calendar year 2001, commercial and foreign tracking customers will obtain tracking services directly from CSOC. This schedule will enable Code M to transition both international and domestic customers at the same time. Moreover, we are comfortable that Lockheed will be fully ready to handle the contracting arrangements with these users by then. In the meantime, a few of the international customers (DLR and ESA, to date) have expressed reluctance to represent that they could not obtain the service commercially, as they are unclear on CSOC's role. They are also aware that other commercial tracking services will be available in the very near future, some via arrangement with Lockheed itself.

Code G has advised informally that the Office of Space Flight Roles and Responsibilities NPD appears to be sufficiently broad for the Associate Administrator to make the finding for the Administrator. We are working with them to develop a factual record on which to base the finding for the interim period. In the meantime, I am proposing that you further delegate the authority to make the required finding, and have enclosed a directive to accomplish this.

*RE Spearing 2/23/01*

Robert E. Spearing

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Space Administration  
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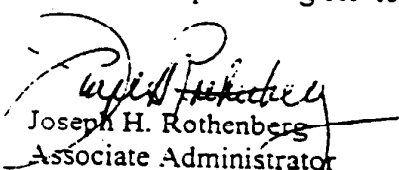


FEB 23 2001

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TO: M-3 Deputy Associate Administrator for Space Communications  
FROM: M/Associate Administrator for Space Flight  
SUBJECT: Delegation of Authority

This directive provides formal authority for the Deputy Associate Administrator (Space Communications) to make determinations that no equivalent commercial services are available on reasonable terms, for purposes of conclusion of reimbursable Space Act agreements for provision of tracking services. This action is taken in compliance with 15 U.S.C. § 5807, requiring the NASA Administrator to make such a determination as a condition of providing services to non-U.S. Government entities.

  
Joseph H. Rothenberg  
Associate Administrator  
Office of Space Flight